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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Docket Number (Optional)
PD040028

First named inventor: Axel Kochale et al.

Application No.: 10/590,555

Art Unit:

Filed: (Int'l) February 26, 2005

Examiner:

Title: ARRANGEMENT FOR ADAPTIVE BIT RECOVERY

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 308-6916

NOTE: If information or assistance is needed in completing this form, please contact
Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

☐ Small entity - fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

☒ Other than small entity - fee \$1620.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Oath and Declaration (identify type of reply):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

B. The issue fee of \$ _____

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming a period equivalent to the period of abandonment is enclosed herewith (see PTO/SB/63).

4. Statement. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

24 Aug '09

Date

Jorge Tony Villabon

Signature

Telephone
Number: (609) 734-6445

JORGE TONY VILLABON

Typed or printed name

Thomson Licensing LLC

Address

P. O. Box 5312, Princeton, NJ 08543

Address

Enclosures: ☒ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other : Oath and Declaration

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(A)]

I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the Patent and Trademark Office at (571) 273-8300.

Aug 24, 2009

Date

Dauida Fornarotto

Signature

DAVIDA FORNAROTTO

Typed or printed name of person signing certificate

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Axel Kochale; Dirk Schmitt; Stefan Rapp
Serial No. : 10/590,555
Int'l Appln. No. : PCT/EP05/02070
Int'l Filing Date : February 26, 2005
For : ARRANGEMENT FOR ADAPTIVE BIT RECOVERY

**FILING OF MISSING REQUIREMENTS OF APPLICATION AND REVIVAL OF
AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

Attention: Office of Petitions
MAIL STOP Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

In response to the Notice to File Missing Requirements of Application Under 37 CFR 371, mailed May 25, 2007, and relating to the above-identified application Serial No.10/590,555, Applicants hereby submit the following:

- 1) An executed Declaration and Powers of Attorney.
- 2) An executed Assignment with Recordation Sheet
- 3) Power of Attorney PTO/SB/81 + Statement Under 37 CFR 3.73(b)
PTO/SB/96
- 4) Petition for Revival of an Application For Patent Abandoned
Unintentionally Under 37 CFR 1.137(b)
- 5) Copy of Missing Parts Notice PCT/DO/EO/905.
- 6) Copy of Notification of Abandonment PCT/DO/EO/909

Please charge the following fees to Deposit Account No. 07-0832:

- 1) A surcharge of **\$130.00** required under 37 CFR 1.497(a) and (b) for filing the Declaration on a date later than the appropriate 30 months from the priority date (37 CFR 1.492(e)).
- 2) Assignment recordation fee **\$40.00**.
- 3) Petition Fee of **\$1620.00**

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in a postage paid envelope addressed to: Attn: Office of Petitions, Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on the date indicated.

Date: Aug 24, 2009

Signature

David A. Fennell

Serial No.10/590,555

PATENT
PD040028

Please charge any additional fees and credit any overpayments to Deposit Account
No. 07-0832. A duplicate copy of this letter is enclosed for use in charging the deposit account.

Respectfully submitted,
Axel Kochale
Dirk Schmitt
Stefan Rapp



Jorge Tony Villabon
Registration No. 52,322
609/734-6445

THOMSON Licensing LLC
PO Box 5312
Princeton, NJ 08543-5312

DATE: *24 August '09*
(Letter In Duplicate)

Serial No.10/590,555

PATENT
PD040028



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Date: Aug 24, 2009

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David J. Fournelle

Serial No.10/590,555

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